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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
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10 JOSE MIGUEL DE LA CRUZ,

11 Plaintiff,

12 v.

13 OSCAR GALLOWAY, et al.,

14 Defendants.
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Case No. 1:20-cv-00997-DAD-EPG (PC)

ORDER DIRECTING PLAINTIFF TO FILE
SCHEDULING AND DISCOVERY
STATEMENT

TWENTY-ONE-DAY DEADLINE

(ECF No. 26)

ORDER DIRECTING CLERK TO SEND
PLAINTIFF COPY OF ORDER REQUIRING
STATEMENTS FROM PARTIES
REGARDING SCHEDULE AND
DISCOVERY (ECF NO. 26)

19 On May 17, 2021, the Court issued an order requiring the parties to submit scheduling and
20 discovery statements within thirty days. (ECF No. 26). On June 16, 2021, Defendants filed their
21 scheduling and discovery statement. (ECF No. 27). Plaintiff did not file a scheduling and
22 discovery statement, and his deadline to do so has passed.

23 The Court will grant Plaintiff an additional twenty-one days to file his scheduling and
24 discovery statement and will direct the Clerk of Court to send Plaintiff a copy of the order
25 requiring statements from parties regarding schedule and discovery. The Court notes that if
26 Plaintiff fails to file his statement within this twenty-one-day period, the Court may issue findings
27 and recommendations to the assigned district judge, recommending that this action be dismissed,
28 without prejudice, for failure to prosecute and failure to comply with court orders.

Accordingly, IT IS ORDERED that:

1. Plaintiff has twenty-one days from the date of service of this order to file his scheduling and discovery statement;
2. Failure to comply with this order may result in the dismissal of this action; and
3. The Clerk of Court is directed to send Plaintiff a copy of the order requiring statements from parties regarding schedule and discovery (ECF No. 26).

IT IS SO ORDERED.

Dated: July 8, 2021

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE